

Remarks

Summary

Claims 6-14 and 17-19 were pending. Claims 1, 11-13, and 17-19 have been rewritten and Claims 20-22 added. No new matter has been added as a result of this amendment. Claims 6-14 and 17-22 are pending after entry of this amendment.

Objection to Specification

The amendment filed on November 17, 2004 was objected to under 35 U.S.C. 132 as introducing new matter into the disclosure. Specifically, the Examiner indicated that the added material which is not supported by the original disclosure is: neither the color filter substrate nor the second substrate contains a light-shielding layer, and the portion of the color filter layer outside the effective display area that has the color layers stacked thereon does not contact the second substrate.

Applicants have rewritten Claim 1 to recite that neither the color filter substrate nor the second substrate contains a black mask and respectfully submit that the features are clearly described and shown in the figures and text of the specification. Figs. 2-4 illustrate these features (such as the substrates being separated by the spacers 22 rather than the stacked color layers) and the first paragraph in the description of Figs. 3 and 4 indicates that Figs. 3 and 4 are merely enlarged sectional views showing the vicinity of the sealing material in the color filter layer, with the remaining structure being the same as the structure shown in Fig. 2. Thus, Applicants respectfully request that the Examiner withdraw the objection in the next Office Action.

Rejection of Claims under 35 U.S.C. 112, first paragraph

Claims 6-14 and 17-19 were rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The Examiner indicated that the claims contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. More specifically, the Examiner rejected the claims for the same reasons as those provided in the Objection to Specification.

Accordingly, for the same reasons as above, Applicants respectfully traverse the rejection.

Rejection of Claims under 35 U.S.C. §103(a)

In the Office Action, Claims 1-19 were rejected under 35 U.S.C. §103(a) as being unpatentable over Applicant's Admitted Prior Art (AAPA) in view of Shimada (U.S. Patent 5,910,829). Applicants have rewritten Claim 6 and traverse the rejection of Claim 6. Claims 11-13 and 17-19 have been rewritten for purely grammatical purposes and not to overcome any rejection.

Claim 1 recites, inter alia, a reflective liquid crystal display that contains a color filter layer. In the color filter layer, at least two different color layers selected from a plurality of different color layers which constitute the color filter layer are vertically aligned only in a portion of the color filter layer between an effective display area and a sealing material. The color filter layer does not contact the sealing material. In addition, neither the color filter substrate nor the second substrate contains a black mask.

None of the cited references anticipate such an arrangement. AAPA does not disclose an arrangement that contains vertically aligned color layers, while teaching an arrangement that contains a black mask. Shimada does not disclose an arrangement in which the vertically aligned color layers are present only in an effective display area and terminate before an internal edge of the sealing material. Nor does Shimada disclose that the liquid crystal layer is disposed between an end of the vertically aligned color layers and the sealing material.

Applicants also submit that no *prima facie* case of obviousness exists.

To establish a *prima facie* case of obviousness there must be some suggestion or motivation to modify the teachings of the references as well as some expectation of success must be present.

No suggestion or motivation exists to combine the references. Shimada is directed towards transmissive LCDs while AAPA is directed towards reflective LCDs. As indicated in the previous response, reflective LCDs and transmissive LCDs have entirely different structures and are used for entirely different purposes (a reflective LCD is used when the ambient light is sufficient to provide adequate

display and a transmissive LCD is used when the ambient light is insufficient and a backlight is used). Such structures require extensive modifications, at a minimum, even if they are able to be combined. Shimada nowhere teaches the use of his arrangement in a reflective LCD, nor is there any suggestion that his structure can be used in or adapted to a reflective LCD. For example, the color filter layer of Shimada is disposed close to the viewer, thus teaching away from a reflective layer on the color filter substrate.

Even if some motivation existed to combine AAPA and Shimada, large departures from each arrangement would be required to provide the arrangement recited in Claim 6. However, merely picking and choosing particular features of each of the cited arrangements to produce the arrangement of Claim 6 without presenting specific motivation to incorporate those features constitutes the use of impermissible hindsight based upon applicants' disclosure. For example, even if the color filter layer containing the stacked color layers in the color filter substrate of Shimada, which is close to the viewer, were incorporated into the color filter substrate of AAPA, which is far from the viewer, the color filter layer of Shimada would have to be further modified such that the stacked color filters no longer contacted the sealing material, as taught by Shimada.

For at least these reasons, none of the cited references, alone or in combination, cited by the Examiner anticipate or suggest the arrangement of Claim 6. Thus, the pending claims are patentable over the cited references.

For similar reasons, dependent Claim 12 and 17-23, for example, which recite particular placements of the color filter layer are independently patentable over the cited references.

Conclusion

Applicants respectfully submit that all of the pending claims are in condition for allowance. If for any reason the Examiner is unable to allow the application in the next Office Action and believes that a telephone interview would be helpful to resolve any remaining issues, he is respectfully requested to contact the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'AP Curtis', written over a horizontal line.

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